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ATTORNEY DOCKET: 46970-5241

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Yuichi KANAI, et al.) Confirmation No.: 1812
Application No.: 10/506,515) Group Art Unit: 2621
Filed: September 3, 2004) Examiner: Robert Chevalier
For: INFORMATION EDITION DEVICE,)
INFORMATION EDITION METHOD,)
INFORMATION EDITION)
PROGRAM, AND INFORMATION)
RECORDING MEDIUM)

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop ISSUE FEE
Alexandria, VA 22314

Sir:

STATEMENT OF SUBSTANCE OF EXAMINER INTERVIEW

In response to the Interview Summary form mailed with a Notice of Allowance on May 5, 2008 in the instant application, the Interview Summary form setting a period for response to which runs through June 5, 2008 for filing a Statement of the Substance of Examiner Interview (hereinafter "Statement"), the following Statement is hereby submitted.

Applicants' undersigned representative received a telephone message on April 18, 2008 from U.S. Patent and Trademark Office ("USPTO") Examiner Robert Chevalier requesting that Applicants' undersigned representative review claims 7-9 of the instant application and then return the Examiner's telephone call to discuss the form of these claims.

Accordingly, Applicants' undersigned representative reviewed the application file in this regard and then conducted an Examiner-initiated telephone discussion on April 18, 2008 with Examiner Chevalier to address the Examiner's concerns. The Examiner asserted that the Amendment filed on March 25, 2008 did not overcome the rejection under 35 U.S.C. § 101. Accordingly, Applicants' undersigned representative explored an option for resolving the Examiner's concerns in this regard. This change would involve amending claim 7 to replace "An information editing computer program embodied in a computer-readable medium and representing a sequence of instructions" with --A computer-readable medium encoded with a computer program representing a sequence of instructions..."

The Examiner agreed that this amendment to claim 7 (with associated changes to dependent claims 8 and 9) would place this application in condition for allowance. The associated changes to dependent claims 8 and 9 would be to replace "information editing computer program" with --computer-readable medium encoded with a computer program--.

The Examiner confirmed that if Applicants agree to these changes to claims 7, 8 and 9, then the Examiner would implement the changes via an Examiner's Amendment to be included in a Notice of Allowance to issue shortly in this application.

On April 21, 2008, Applicants' undersigned representative contacted the Examiner to inform the Examiner that Applicant had approved these changes to claims 7, 8 and 9.

The details of these claim amendments as discussed in these telephone conversations between the Examiner and Applicant's undersigned representative are properly indicated, with very minor changes from what was specifically agreed to, in the Examiner's Amendment that was included in the Notice of Allowance mailed on May 5, 2008. To the extent that Applicants

do not choose to proceed with any further Amendments after Allowance in this application, this can be taken as an understanding that Applicants have approved the Examiner's Amendment as specifically indicated in the Notice of Allowance dated May 5, 2008.

The Interview Summary form attached to the Notice of Allowance mailed on May 5, 2008 notes an interview date of April 22, 2008. However, Applicants' undersigned representative's recollections of the dates of such telephone interviews are as stated above. To the extent that any further clarification is required in this regard, the Examiner is respectfully requested to inform Applicant of such in a further Office Communication.

If there are any outstanding issues in any regard, the Examiner is invited to telephone Applicants' undersigned representative at 202-842-8812 to advance the prosecution of this application.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER BIDDLE & REATH LLP



By:

Paul A. Fournier

Reg. No. 41,023

Dated: May 29, 2008

Customer No. 055694

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